



PATENT
P57002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES

In re Application of:

Appeal No. _____

TAE-SUNG KIM *et al.*

Serial No.: 10/767,281 Examiner: WARREN, MATTHEW E.

Filed: 30 January 2004 Art Unit: 2815

For: NOVEL CONDUCTIVE ELEMENTS FOR THIN FILM TRANSISTORS USED
IN A FLAT PANEL DISPLAY

REPLY BRIEF

Mail Stop Appeal Brief-Patents

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §41.41(a), Appellants hereby request entry of this Reply Brief in response to the Examiner's Answer mailed on 5 May 2008. .

This Reply Brief is filed with a written Request for Oral Hearing before the Board of Patent Appeals and Interferences, and the statutory fee incurred by that request.

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REMARKS

The Examiner's Answer mailed on 5 May 2008 has been carefully considered.

In the first paragraph on page 9 of the Examiner's Answer, the Examiner responds to the Appellants' argument that Ohtani teaches away from a three layer laminated structure of titanium/aluminum alloy/titanium since Ohtani does not teach using the aluminum alloy for the source wiring line and drain electrode and the Appellants' assertion that Ohtani previously contemplating using an aluminum alloy for the gate wiring line and such a teaching is further evidence that Ohtani only considered pure aluminum for the source wiring line and drain electrode.

The Examiner responds that Ohtani "does not specifically teach that pure aluminum can only be used for the source line and drain electrode... Ohtani is only disclosing the basic design of the source and drain without getting into too much detail about these components. If it were truly critical to the invention, Ohtani would have specifically stated that an aluminum alloy cannot be used for the source line and drain electrode. Ohtani does not make any statements of that nature in the disclosure."

Appellants disagree with the Examiner's assertions. Ohtani has specifically stated that the gate wiring line uses an aluminum alloy and that the source wiring line and drain electrode uses a three-layer laminated structure of titanium/aluminum/titanium.

Since Ohtani has not stated that aluminum cannot be substituted for an aluminum alloy or vice versa, one could infer that Ohtani had chosen an aluminum alloy for the gate wiring line and a three-layer laminated structure of titanium/aluminum/titanium for the source wiring line and drain electrode.

Since Ohtani does not teach or suggest the above-noted substitution, it is submitted that Ohtani teaches away from the recitation of the three-layer laminated structure of the rejected claims.

Furthermore, since Ohtani does not teach or suggest the above-noted substitution, it would not be obvious to make such a substitution based on the teachings of Ohtani.

The paragraph bridging pages 9 and 10 and the first complete paragraph on page 10 of the Examiner's Answer, the Examiner argues that Maeda teaches the above-noted feature deficient in Ohtani.

Even assuming *arguendo* that Maeda teaches the use seven aluminum alloy layer instead of aluminum for an electrode, this does not result in the conclusion that it would be obvious to combine the teachings of Maeda and Ohtani since Maeda and Ohtani are referring to entirely different devices.

In the paragraph bridging pages 10 and 11, the Examiner has argued that it would be obvious to choose the recited weight percentage in the alloy, the thickness of the titanium nitride layer, or the percentage of nitrogen in the desired range.

However, paragraphs [0048] and [0044] of the present specification teaches reasons for utilizing the various recited characteristics of the various layers.

Note that the rejected claims recite specific characteristics of the various layers rather than merely reciting the composition of such layers.

Even assuming *arguendo* that the composition of such layers is known to those skilled in the art, does not result in the conclusion that it would be obvious to choose the specifically recited characteristics of the various layers of the rejected claims.

A Request for Oral Hearing and an Appellants' check in the amount of \$1,030.00 drawn to the order of Commissioner accompany this Reply Brief. Should the Request and/or check become lost, the Commissioner is kindly requested to treat this paragraph as such a request, and is authorized to charge Deposit Account No. 02-4943 of Appellants' undersigned attorney in the amount of such fee.

Respectfully submitted,



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